From: Waye, Don

To: Sweeney, Stephen

CC: Hall, Lynda

**Sent:** 7/16/2014 5:52:00 PM

Subject: RE: Who Decides on Baseline for 319 Withholding (OR CZARA)

Ahh. Thank you, good sir.

Per your last paragraph, the confusion could have been just mine. I seem to have developed "summer brain" upon my

Ex. 6 - Personal Privacy

From: Sweeney, Stephen

Sent: Wednesday, July 16, 2014 5:48 PM

To: Waye, Don

Cc: Carlin, Jayne; Hall, Lynda; Psyk, Christine

Subject: RE: Who Decides on Baseline for 319 Withholding (OR CZARA)

Do Not Release - Withhold under FOIA exemption five

Don,

# Ex. 5 - Attorney Client

Steve

From: Waye, Don

Sent: Wednesday, July 16, 2014 5:34 PM

To: Sweeney, Stephen

Cc: Carlin, Jayne; Hall, Lynda; Psyk, Christine

Subject: FW: Who Decides on Baseline for 319 Withholding (OR CZARA)

Steve.

# Ex. 5 - Attorney Client

§ 1455b.(c)(4)Withholding water pollution control assistance. If the Administrator finds that a coastal State has failed to submit an approvable program as required by this section, the Administrator shall withhold from grants available to the State under section 319 of the Federal Water Pollution Control Act [33]

USC § 1329], for each fiscal year until such a program is submitted, an amount equal to a percentage of the grants awarded to the State for the preceding fiscal year under that section, as follows:

- (A) For fiscal year 1996, 10 percent of the amount awarded for fiscal year 1995.
- (B) For fiscal year 1997, 15 percent of the amount awarded for fiscal year 1996.
- (C) For fiscal year 1998, 20 percent of the amount awarded for fiscal year 1997.
- (D) For fiscal year 1999 and each fiscal year thereafter, 30 percent of the amount awarded for fiscal year 1998 or other preceding fiscal year.

The Administrator shall make amounts withheld under this paragraph available to States having programs approved pursuant to this subsection.

Please comment, as this should inform the policy decision.

Don Waye

U.S. EPA - Nonpoint Source Control Branch

Phone: 202-566-1170

From: Carlin, Jayne

Sent: Wednesday, July 16, 2014 5:01 PM

To: Psyk, Christine; Hall, Lynda

Cc: Sweeney, Stephen; Byrne, Jennifer; Waye, Don; Henning, Alan; allison.castellan@noaa.gov;

joelle.gore@noaa.gov

**Subject:** Who Decides on Baseline for 319 Withholding (OR CZARA)

Hi Christine and Lynda,

### Ex. 5 - Attorney Client

Jayne

Jayne Carlin, Watersheds Unit US EPA, Region 10 1200 6th Ave, Suite 900 (OWW-134) Seattle, WA 98101-3140 (206) 553-8512, (206) 553-0165 (fax) carlin.jayne@epa.gov

http://www.epa.gov/r10earth/tmdl.htm

From: Waye, Don

Sent: Wednesday, July 16, 2014 9:29 AM

To: Carlin, Jayne

Subject: RE: Follow-up on July 15 OR CZARA Meeting: EPA Penalties & Jeff's Availability for Future Meeting

Jayne,

## Ex. 5 - Deliberative

Don

From: Carlin, Jayne

Sent: Wednesday, July 16, 2014 12:19 PM

To: allison.castellan@noaa.gov

Cc: Waye, Don; Wu, Jennifer; Solloway, Chris; Parry, Roberta; Croxton, Dave; Henning, Alan; Flahive, Katie; Rueda,

Helen; Melissa Rada - NOAA Affiliate; joelle.gore@noaa.gov; Hall, Lynda; Psyk, Christine

Subject: RE: Follow-up on July 15 OR CZARA Meeting: EPA Penalties & Jeff's Availability for Future Meeting

Hi All,

### Ex. 5 - Deliberative

Jayne

Jayne Carlin, Watersheds Unit US EPA, Region 10 1200 6th Ave, Suite 900 (OWW-134) Seattle, WA 98101-3140 (206) 553-8512, (206) 553-0165 (fax) carlin.jayne@epa.gov

http://www.epa.gov/r10earth/tmdl.htm

From: Allison Castellan - NOAA Federal [mailto:allison.castellan@noaa.gov]

Sent: Wednesday, July 16, 2014 5:52 AM

To: Carlin, Jayne

Cc: Waye, Don; Wu, Jennifer; Solloway, Chris; Parry, Roberta; Croxton, Dave; Henning, Alan; Flahive, Katie; Rueda,

Helen; Melissa Rada - NOAA Affiliate; joelle.gore@noaa.gov; Hall, Lynda; Psyk, Christine

Subject: Re: Follow-up on July 15 OR CZARA Meeting: EPA Penalties & Jeff's Availability for Future Meeting

Thanks for sharing Jayne.

Ex. 5 - Deliberative

Ex. 5 - Deliberative

On Tue, Jul 15, 2014 at 6:58 PM, Carlin, Jayne < <u>Carlin.Jayne@epa.gov</u> > wrote: Hi All.

### Ex. 5 - Deliberative

I think we should invite the attorneys to one of our future meetings. What is Jeff's availability for July 29, August 5 or 12 at 1 pm (EST), Allison?

Jayne

Jayne Carlin, Watersheds Unit US EPA, Region 10 1200 6th Ave, Suite 900 (OWW-134) Seattle, WA 98101-3140 (206) 553-8512, (206) 553-0165 (fax) carlin.jayne@epa.gov

http://www.epa.gov/r10earth/tmdl.htm

From: Carlin, Jayne

Sent: Monday, July 14, 2014 3:06 PM

To: Waye, Don; Wu, Jennifer; allison.castellan@noaa.gov; Solloway, Chris; Parry, Roberta; Croxton, Dave;

Henning, Alan; Flahive, Katie; Rueda, Helen; Melissa Rada - NOAA Affiliate

Cc: 'joelle.gore@noaa.gov'; Hall, Lynda; Psyk, Christine

Subject: OR CZARA Agenda for July 15 Call with Focus on Forestry/Riparian (10 AM WA/OR or 1 PM DC

Non-Responsive

## OR CZARA with Focus on Forestry: Riparian July 15 at 10 AM WA/OR or 1 PM DC Non-Responsive

#### Agenda

### Updates

- Status on legal, landslides, OSDS, new development, pesticides, general, ag, other
- Status of draft written bimonthly update to NWEA
- Follow-up on Ag Review: MMs Met given new info vs. additional MMs needed?
- · Other?

Forestry: Riparian Review

Action Items/Next Steps

#### **Upcoming Meetings**

- · July 22: Forestry: Roads
- July 29: Outstanding issues; questions/issues to be raised to t-up for mgt or legal
- Aug 5: Outstanding issues; questions/issues to be raised to t-up for mgt or legal
- Aug 12: Prep for Managers Call: T-up issues that need to be elevated based on review of draft rationales/response to comments to date
- · Aug 14 Managers Call
- Aug 19: Follow up from managers call; discuss any follow up issues that still need to be resolved based on review of draft rationales/response to comments to date
- Aug 26: Lingering issues based on consolidated response to comments and decision rationale.

Jayne Carlin, Watersheds Unit US EPA, Region 10 1200 6th Ave, Suite 900 (OWW-134) Seattle, WA 98101-3140 (206) 553-8512, (206) 553-0165 (fax) carlin.jayne@epa.gov

http://www.epa.gov/r10earth/tmdl.htm

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Allison Castellan

Coastal Management Specialist

Office of Ocean and Coastal Resource Management N/ORM3 National Oceanic and Atmospheric Administration, SSMC4

Silver Spring, MD 20910 Phone: 301-563-1125 Fax: 301-713-4004

allison.castellan@noaa.gov

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